

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02

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AID-05 IO-10 SCCT-01 VO-03 INSE-00 JUSE-00 /095 W

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P 131955Z NOV 75

FM AMEMBASSY PORT AU PRINCE

TO SECSTATE WASHDC PRIORITY 1021

C O N F I D E N T I A L SECTION 1 OF 3 PORT AU PRINCE 2857

EO 11652 GDS

TAGS/ SHUM, SREF, HA

SUBJECT: HAITI: CONGRESSIONAL HEARINGS ON HUMAN RIGHTS/REFUGEES

REF: A) STATE 264683; B) HEAVNER/VINCENT TELCON OF 11/12/75

1. SUMMARY: HAITI'S RECORD ON HUMAN RIGHTS OBSERVANCE HAS DISTINCTLY IMPROVED IN THE PAST FOUR YEARS AS PRESIDENT JEAN-CLAUDE DUVALIER ENDED THE CLIMATE OF TERROR AND INSECURITY UTILIZED BY HIS FATHER, DISESTABLISHED THE DREADED TONTON MACOUTES, ENCOURAGED THE RETURN OF EXILES (EXCEPT FOR THOSE WHO STILL ACTIVELY OPPOSE THE GOVERNMENT), STRESSED ECONOMIC AND SOCIAL PROGRESS, PROMOTED THE REFORM OF PUBLIC ADMINISTRATION, AND BEGAN CONCENTRATING ON ECONOMIC DEVELOPMENT PLANS. A STAMP FRAUD TRIAL THIS YEAR REJUVENATED LONG-DORMANT CRIMINAL PROCESSES, INCLUDING THE RIGHT OF DEFENSE LAWYERS TO ARGUE EFFECTIVELY, AND ALLOWED THE LOCAL MEDIA TO CRITICIZE GOH SHORTCOMINGS MORE OPENLY. LONG-STANDING AND POLITICALLY IMPORTANT PEASANT LAND TITLE CLAIMS NOW ARE BEING ADJUDICATED, WHEREAS IN THE PAST THEY WERE IGNORED AND ANY PEASANT AGITATION WAS REPRESSED. LOCAL INITIATIVES ON BEHALF OF WOMEN'S RIGHTS ARE ENCOURAGED. THE GOH IS PAYING GREATER ATTENTION

TO ENFORCING SOME WORKERS' RIGHTS OFTEN IGNORED BY EMPLOYERS.
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CONTRARY TO COMMON BELIEF IN HAITIAN EXILE CIRCLES, CLAIMANTS TO POLITICAL ASYLUM DEPORTED FROM THE US, CANADA, AND THE BAHAMAS HAVE NOT ENCOUNTERED REPRISALS, BASED UPON THE CASES WHICH WE HAVE MONITORED OVER THE PAST TWO YEARS,

AND THE GOH COOPERATES WITH US OFFICIALS TO ENSURE AN ORDERLY AND SATISFACTORY PROCESSING OF RETURNED DEPORTEES.

HAITI REMAINS AN AUTHORITARIAN, NON-DEMOCRATIC SOCIETY WITH FEW EFFECTIVE INSTITUTIONS AND WITHOUT A LIBERAL LEGAL TRADITION, THE CODE NAPOLEON FURTHER RESTRICTING PROCEDURAL SAFEGUARDS ASSUMED UNDER THE ANGLO-SAXON LEGAL TRADITION. PRISON CONDITIONS, ALTHOUGH IMPROVED, REMAIN POOR, DECISION-MAKING ARBITRARY, AND PROCEDURAL SAFEGUARDS UNCERTAIN. THESE FACTORS ARE COMPOUNDED BY THE TRADITION OF TOTAL SECRECY SURROUNDING POLITICAL PRISONERS AND BY THE GOVERNMENT'S WELL-FOUNDED AWARENESS THAT IT REMAINS THE TARGET OF COMMUNIST SUBVERSION AND ANTI-DUVALIERIST PLOTTING DIRECTED FROM THE US, CANADA, CUBA AND FRANCE. NEVERTHELESS, THE CURRENT GOVERNMENT SHOWS A WILLINGNESS TO RECONSIDER ITS PRACTICES IN THE CONTEXT OF DUVALIER'S OVERALL REFORM EFFORT, AND EVEN TO EXPERIMENT WITH IMPROVEMENTS. DUVALIER AND HIS ADVISORS APPRECIATE US HUMAN RIGHTS CONCERNS, AND WITHIN THE LIMITS OF PERCEIVED SECURITY INTERESTS ARE CAUTIOUSLY TRYING TO ACCOMMODATE SOME OF THEM.
END SUMMARY

2. A. HWAN RIGHTS - WHILE THE GOVERNMENT OF PRESIDENT JEAN-CLAUDE DUVALIER, LIKE EACH OF ITS PREDECESSORS IN HAITI SINCE 1804, REMAINS AUTHORITARIAN, ITS RECORD ON HUMAN RIGHTS IS BETTER THAN MANY PAST REGIMES AND REPRESENTS A CLEAR BREAK WITH THE PATTERN OF REPRESSION THAT DEVELOPED UNDER THE LATE PRESIDENT FRANCOIS DUVALIER. THE CURRENT PRESIDENT, FEELING SECURE IN HIS AUTHORITY, AND REPUDIATING THE BRUTAL REPRESSIVE TECHNIQUES FAVORED BY HIS FATHER, OVER THE PAST FOUR AND ONE-HALF YEARS HAS CONSIDERABLY ALTERED PREVIOUS GOVERNMENTAL HABITS THAT INSTITUTIONALIZED POLICE VIOLENCE AND DISRESPECT FOR LAW IN THE NAME OF SECURITY OR SOCIAL REVOLUTION. THIS IMPROVEMENT BEGAN IN 1970, A YEAR BEFORE FRANCOIS DUVALIER'S DEATH, WHEN THE FORMER DICTATOR BEGAN CURBING HIS SECURITY IRREGULARS KNOWN AS TONTON MACOUTES AND INSTITUTING RESTRAINTS OVER THE ENTIRE GOH SECURITY AND POLICE APPARATUS.

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B. OBJECTIVES OF REFORM - JEAN-CLAUDE DUVALIER QUICKLY MADE IT APPARENT AFTER HE TOOK OFFICE IN APRIL 1971 THAT HIS MAIN POLICY INTEREST WAS ECONOMIC DEVELOPMENT AND SOCIAL REFORM, AND THAT HIS SECURITY CONCERNS REFLECTED RATIONAL CALCULATIONS RATHER THAN MESSIANIC OR PARANOID CONSIDERATIONS. YOUNG DUVALIER ENUNCIATED A POLICY OF DOMESTIC DETENTE AND NATIONAL RECONCILIATION IN SUPPORT OF HIS OBJECTIVES, AND INITIATED GRADUAL BUT THUS FAR EFFECTIVE ACTIONS TO REORIENT THE GOALS, ENERGIES, AND PRACTICES OF THE INEPT, CORRUPT AND BRUTALIZED ADMINISTRATION HE INHERITED.

C. AUTHORITY ESTABLISHED - DUVALIER HAS ALREADY OVERCOME ONE MAJOR OBSTACLE FACING HIM: THREATS TO HIS OWN RULE

FROM RIVALS WITHIN THE DUVALIERIST POLITICAL SYSTEM ITSELF. HE MOVED SLOWLY AND CAUTIOUSLY DURING THE FIRST YEAR AND ONE-HALF, DURING WHICH HE HAD TO LEARN THE FUNDAMENTALS OF HIS JOB. BUT BETWEEN NOVEMBER 1972 AND MARCH 1974 YOUNG DUVALIER CONSOLIDATED HIS PERSONAL AUTHORITY BY FIRING SOME OF THE MOST POWERFUL AND CORRUPT CABINET MINISTERS AND MILITARY OFFICERS, REPLACING THEM WITH MORE APOLITICAL AND TECHNICALLY QUALIFIED MEN OF HIS OWN LIKING. WITH THE REMOVAL OF SUCH MEN AS FORMER DEFENSE AND INTERIOR SECRETARY LUCKNER CAMBRONNE, FORMER ARMED FORCES CHIEF-OF-STAFF GENERAL CLAUDE RAYMOND, FORMER DESSALINES BATTALION COMMANDER GENERAL BRETON CLAUDE, AND FORMER NATIONAL POLICE CHIEF FRANCK ROMAIN, THE LEVEL OF VIOLENCE GENERATED FROM WITHIN THE GOH SUBSIDED NOTABLY.

D. CONSTRAINTS ON REFORM - SINCE MARCH 1974 DUVALIER'S MAJOR CONSTRAINTS INVOLVE TRADITIONAL GOH INSTITUTIONAL WEAKNESSES WHICH REFLECT A NATIONAL HISTORY OF NON-DEMOCRATIC, QUASI-MILITARY RULE; WOEFULLY INADEQUATE PUBLIC ADMINISTRATION; DEPLETED AGRICULTURAL AND OTHER NATURAL RESOURCES; AN ALIENATED MULATTO BOURGEOISIE; A POVERTY-STRICKEN PEASANTRY. ALSO HE CANNOT IGNORE THE RESIDUAL DUVALIERIST POLITICAL SYSTEM, WHOSE ENTRENCHED MEMBERS CLUSTER AROUND HIS MOTHER IN THEIR EFFORTS TO RETAIN POWER AND TO RETARD IF NOT PREVENT FURTHER REFORMS.

E. POLITICAL PRISONERS - THE NORMAL ADMINISTRATION OF JUSTICE BROKE DOWN EARLY DURING THE RULE OF FRANCOIS DUVALIER WHEN A SERIES OF UNSUCCESSFUL COUP ATTEMPTS, INVASIONS BY ARMED EXILES, AND AN ASSASSINATION ATTEMPT ON THE LIFE OF DR. CONFIDENTIAL

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DUVALIER'S CHILDREN TRIGGERED SEVERE REPRESSION EVEN AGAINST THE FAMILIES OF SUSPECTED OPPONENTS. CRIMINAL COURT TRIALS CEASED AS THE FATE OF SUSPENDED COMMON CRIMINALS WAS DECIDED ADMINISTRATIVELY, WHILE THOSE OF POLITICAL SUSPECTS BY SECRET MILITARY TRIBUNALS. SOMETIMES THE NAMES AND SENTENCES OF POLITICAL PRISONERS WERE REVEALED; OFTEN THEY WERE NOT. NOBODY KNOWS HOW MANY POLITICAL AND ORDINARY PRISONERS WERE UNDER DETENTION AS OF 1971. IN ANY EVENT, AFTER THE DISMISSAL OF INTERIOR SECRETARY CAMBRONNE IN NOVEMBER 1972, YOUNG DUVALIER PARDONED TWO LARGE GROUPS OF POLITICAL PRISONERS IN NOVEMBER (86 PRISONERS) AND DECEMBER (72 PRISONERS) OF 1972. ANOTHER 12 PRISONERS WERE FREED IN JANUARY 1973, AND, MOST RECENTLY, 26 POLITICAL PRISONERS WERE PUBLICLY PARDONED IN JANUARY 1975. THE ONLY POLITICAL PRISONERS KNOWN TO HAVE BEEN INCARCERATED SINCE 1971 WERE 25-30 PERSONS DETAINED IN CONNECTION WITH A POLITICALLY MOTIVATED KIDNAPPING IN AUGUST 1972 AND A SO-CALLED "EX-COLONELS' PLOT" IN SEPTEMBER 1972. BOTH GROUPS SOUGHT THE OVERTHROW OF THE REGIME. TODAY WE ESTIMATE THAT FROM 25 TO POSSIBLY 100 POLITICAL PRISONERS REMAIN AT THE FORT DIMANCHE AND THE NATIONAL PENITENTIARY.

F. POSSIBLE IMPROVEMENTS - BENEATH THE SURFACE THE LIBERALIZATION

TREND IS AFFECTING EVEN DUVALIER'S SECURITY ADVISORS. ONE KEY

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ACTION ARA-10

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NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02

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C O N F I D E N T I A L SECTION 02 OF 03 PORT AU PRINCE 2857

OFFICIAL IS THOUGHT TO BELIEVE THAT MUCH OF THE TRADITIONAL SECRECY SURROUNDING PRISONERS IS COUNTER-PRODUCTIVE AND UNNECESSARY. WE HAVE REASON TO BELIEVE THAT WITHIN SEVERAL MONTHS THE NAMES AND DETAILS CONCERNING AT LEAST SOME POLITICAL AND OTHER PRISONERS MAY BE QUIETLY REVEALED TO A RESPONSIBLE INTERNATIONAL BODY, SUCH AS AMNESTY INTERNATIONAL, WHOSE INQUIRIES TO DATE HAVE MET WITH TOTAL SILENCE. THE INTERIOR SECRETARY, PAUL BLANCHET, IS TRYING TO DISCOURAGE CUSTOMARY POLICE BRUTALITY SHOWN TOWARD PERSONS BEING ARRESTED, HABITUALLY DOE TO "SHOW WHO IS BOSS". PRISON AND JAIL CONDITIONS REMAIN POOR DUE TO POOR TRAINING AND INADEQUATE BUDGET, BUT AT LEAST COMPARE FAVORABLY TO THE 1960'S.

G. CRIMINAL TRIALS - ANOTHER RECENT INNOVATION IN THE CAPITAL WAS THE EXPERIMENTAL REINTRODUCTION OF CRIMINAL TRIALS, FIRST IN MARCH 1975 FOR AN AMERICAN WOMAN ACCUSED OF KILLING HER HAITIAN HUSBAND, AND SECOND IN SEPTEMBER 1975 FOR 12 PERSONS IMPLICATED IN A MAJOR POLITICAL SCANDAL INVOLVING POSTAGE STAMP FRAUD. THE LATTER TRIAL WAS UNQUESTIONABLY THE POLITICAL EVENT OF THE YEAR, INVOLVING A DISMISSED CABINET MINISTER AND A SECURITY ADVISOR TO THE LATE FRANCOIS DUVALIER. THE DEFENSE LAWYERS NOT ONLY REFUSED TO BE INTIMIDATED, THEY ARGUED SKILLFULLY, FREQUENTLY DRAWING APPLAUSE FROM THE SPECTATORS; MUCH OF THE PROSECUTIONS CASE PROVED FAULTY, AND THE PRESIDING JUDGE -- WHOSE CONDUCT WAS IRREPROACHABLE--

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CONVICTED ONLY FOUR OF THE DEFENDANTS. MOREOVER, AN INCREASINGLY AUDACIOUS LEFTIST WEEKLY, PETIT SAMEDI SOIR, A PUBLICATION THAT

SIMPLY COULD NOT HAVE EXISTED OVER TWO YEARS AGO, USED THE OCCASION TO CRITICIZE THE HAITIAN LEGAL ADMINISTRATION GENERALLY, CONDEMN THE PREVAILING CLIMATE OF CORRUPTION, AND ASSERT THE BASIC RIGHT OF THE PRESS TO PUBLISH NON-DUVALIERIST OPINIONS. REFLECTING THE EXTENT OF LIBERALIZATION SINCE FRANCOIS DUVALIER'S DEATH, THE GOH NOT ONLY DID NOT SHUT DOWN PETIT SAMEDI SOIR, BUT EVEN EDITORIALIZED THAT THE TRIAL AND ITS OUTCOME DEMONSTRATED BOTH THE SUCCESS OF DUVALIER'S LIBERALIZATION POLICIES AND THE REGIMES BASIC STRENGTH. WHILE IN FACT REGULAR CRIMINAL DUE PROCESS IS FAR FROM ACHIEVED, THE FIRST STEPS TOWARD THIS GOAL WERE NEVERTHELESS TAKEN, AND THE PARAMETERS OF LOCAL MEDIA FREEDOM WERE GENUINELY IF IMPRECISELY EXPANDED.

H. GROWING MEDIA ROLE - PETIT SAMEDI SOIR'S PERIODIC CRITICISMS ARE CONSISTENT WITH THE MORE ASSERTIVE ROLE PLAYED BY THE MEDIA SINCE EARLY 1974. TWO OF THE THREE MAJOR DAILIES, AND FOUR OF THE FIVE PRINCIPAL RADIO STATIONS, ARE PRIVATELY OWNED, AND TAKE THEIR CIVIC RESPONSIBILITIES SERIOUSLY. THE DAILY PRESS AND SEVERAL OF THE LEADING RADIO NEWS COMMENTATORS POINT OUT FAILURES IN CARRYING OUT GOH POLICIES, AND PROD THE RESPONSIBLE MINISTRY INTO TAKING REMEDIAL ACTION. PRESIDENT DUVALIER HAS PUBLICLY ENCOURAGED THIS LIMITED MEDIA CRITICISM AS A VALUABLE MEANS TO

IMPROVE GOH PERFORMANCE. DIRECT ATTACKS ON THE REGIME ITSELF, OF COURSE, STILL WOULD BE CONSIDERED A BREACH OF THE UNWRITTEN RULES OF THE GAME, AND HENCE ARE NOT A REALISTIC OPTION. THE GOH REMAINS WARY OF THE FOREIGN MEDIA, PARTICULARLY US, CONSIDERING

THAT NEWSMEN STILL APPROACH HAITI AS IF NOTHING HAD CHANGED SINCE THE 1960'S AND APPEAR CLOSED MINDED TO ALL EVIDENCE OF IMPROVEMENT IN HAITI SO LONG AS A DUVALIER LEADS THE GOVERNMENT. THE GOH THEREFORE CONTINUES TO DISTRUST FOREIGN JOURNALISTS, AND THUS HAS YET TO DEVISE A SUCCESSFUL POLICY FOR OVERCOMING THE JOURNALISTS RECIPROCAL SUSPICIONS.

I. COMPLEMENTARY REFORMS - DUVALIER IS SOLUTION-ORIENTED, AND MOST OF HIS ACTIONS REFLECT A DESIRE TO SOLVE PROBLEMS RATHER THAN TO STRIKE OUT AGAINST PERSONS WHO SURFACE THEIR PROBLEMS.

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THAN TO STRIKE OUT AGAINST PERSONS WHO SURFACE THEIR PROBLEMS. A PARTICULARLY SENSITIVE CHALLENGE RECENTLY WAS A VIOLENT CLASH BETWEEN PEASANTS AND LOCAL OFFICIALS IN THE RICH ARTIBONITE VALLEY IN EARLY 1975, TRIGGERED BY PEASANTS HOPING TO RECLAIM LAND ALLEGEDLY TAKEN FROM THEM BY A LEADING TONTON MACOUTE IN THE 1960'S. DUVALIER USED RESTRAINT IN RESTORING ORDER AND DISPATCHED A SPECIAL INQUIRY MISSION HEADED BY JUSTICE SECRETARY AURELIEN JEANTY TO SORT OUT LAND TITLES ACCORDING TO LAW. HIS FATHER'S REACTION TO SIMILAR PEASANT AGITATION IN 1969 HAD BEEN REPRESSION WITHOUT ANY INVESTIGATION AND SETTLEMENT OF GRIEVANCES. SIMILARLY, ROUND TABLE ON WOMEN'S RIGHTS SPONSORED BY THE HAITIAN-AMERICAN INSTITUTE, AND EXTENSIVE COMMENTARIES ON THE

SUBJECT IN THE PRESS BY LEADING HAITIAN FEMALE INTELLECTUALS, HAVE IF ANYTHING BEEN ENCOURAGED BY THE GOH, WHICH SENT A DELEGATION TO THE UN CONFERENCE ON WOMEN'S RIGHTS HELD IN MEXICO CITY. EVEN IN THE LABOR FIELD, WHERE THERE HAD YET BEEN NO PERCEPTIBLE STIRRINGS OF FREE TRADE UNIONISM, THE GOH SEEMS TO BE SHOWING OVERDUE CONCERN ABOUT THE MORE FLAGRANT EMPLOYER ABUSES OF WORKERS LEGAL RIGHTS, SUCH AS IMPROPER JOB CLASSIFICATIONS, HOLIDAY WORK AT REGULAR WAGES, NO PAID VACATIONS, AND THE LIKE.

J. NEW LEGALITY - DUVALIER'S CONCERN FOR LEGALITY STEMS IN LARGE PART FROM HIS APPARENT DESIRE TO LEAD A RATIONALLY RESPONSIVE PUBLIC ADMINISTRATION, HOPEFULLY WITH POPULAR SUPPORT, IN PURSUIT OF HIS ECONOMIC AND SOCIAL GOALS. IT IS IN THIS CONTEXT THAT HE DECIDED TO UNEARTH AND CONDEMN THE PERPETRATORS OF THE 1975 POSTAGE STAMP AND CUSTOMS' SCANDALS. SIMILARLY, IN OCTOBER 1974 HE AUTHORIZED THE MINISTER OF PUBLIC WORKS TO EXPOSE THE ADMINISTRATIVE NEGLECT AND CORRUPT PRACTICES THAT OVER THE YEARS HAVE STRIPPED THE PORT AU PRINCE WATERSHED OF ITS PROTECTIVE FORESTS. FOR THE NARROW PURPOSE OF MAINTAINING POWER, FRANCOIS DUVALIER'S POLICIES OF INDUCED FEAR AND UNCERTAINTY WERE SUCCESSFUL BUT ALMOST TOTALLY SUBVERTED THE CONSTRUCTIVE PURPOSE OF GOVERNMENT. JEAN-CLAUDE DUVALIER IS TRYING TO UNDO THIS DAMAGE WHILE AT THE SAME TIME RETAIN THE SUPPORT OF MOST TRADITIONAL DUVALIERISTS - A COURSE THAT HAS POLITICAL RISKS AND IS SUBJECT TO TWISTS AND TURNS ACCORDING TO THE YOUNG PRESIDENT'S ESTIMATE OF THE POSSIBLE.

3. A. REFUGEES - LARGE SCALE EMIGRATION HAS BEEN A HAITIAN FACT
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OF LIFE SINCE AT LEAST THE 1950'S, AS POOR ILLITERATE PEASANTS MADE THEIR WAY TO THE US, DOMINICAN REPUBLIC, THE BAHAMAS, CUBA, AND OTHER NEIGHBORING COUNTRIES OFFERING HOPE OF EMPLOYMENT. THIS MOVEMENT WAS COMPLEMENTED BY A STEADY BRAIN DRAIN FROM THE EDUCATED ELITE SEEKING HIGHER SALARIES AND GREATER OPPORTUNITIES ABROAD. ESTIMATES OF THE NUMBER OF HAITIANS LIVING IN THE US VARY WIDELY, BUT USUALLY RANGE FROM 100 TO 300 THOUSAND, OF WHICH MOST ARE CONSIDERED ILLEGALS. THE DEPRESSED ECONOMIC AND INSECURE POLITICAL CONDITIONS PREVAILING DURING THE 1960'S ADDED TO THE OUTFLOW OF MIDDLE AND UPPER CLASS HAITIANS. AMONG THEM WERE GENUINE POLITICAL REFUGEES WHO SOUGHT ASYLUM FROM FRANCOIS DUVALIER'S REPRISALS AND OTHER ABUSES OF POWER. THE SO-CALLED DUVALIERIST REVOLUTION BRUTALLY REMOVED MEMBERS OF THE LARGELY MULATTO ELITE FROM POSITIONS OF AUTHORITY, AND LATER DISENCHANGED OR SUSPECT DUVALIERISTS JOINED THE EXODUS OF THESE RELATIVELY FEW BUT ARTICULATE AND POLITICALLY VISIBLE HAITIAN EXILES.

B. PROGRESS ONLY PARTIAL - DESPITE THE CONSIDERABLE PROGRESS IN HUMAN RIGHTS PRACTICES IN HAITI RECENTLY, IT IS FAR FROM IDEAL IF JUDGED BY US STANDARDS OR ANGLO-SAXON LEGAL CANONS.

PROCEDURAL SAFEGUARDS ARE RESTRICTED BOTH BY CUSTOM AND BY THE WORKINGS OF THE CODE NAPOLEON, ADMINISTRATIVE DECISION-MAKING IS OFTEN ARBITRARY, PRISON AND JAIL CONDITIONS ARE UNSATISFACTORY FOR ALL BUT THOSE UNDER PRETRIAL DETENTION, AND SECRECY IS AN INGRAINED HABIT. MANY DEFICIENCIES REFLECT THE COUNTRY'S POVERTY AND INADEQUATE PUBLIC ADMINISTRATION AND, IT IS IMPORTANT TO RECALL, NATIONAL HISTORY OF DICTATORIAL GOVERNMENT. OTHERS ARE HOLDOVER FROM THE PAPA DOC ERA. THE CURRENT GOVERNMENT IS WILLING, HOWEVER, TO CONSIDER PROPOSED IMPROVEMENTS AND GRADUALLY IMPLEMENT THOSE THAT DO NOT APPEAR POLITICALLY DESTABILIZING. THIS OPENMINDEDNESS HAS BEEN ENCOURAGED BY FAILURE OF EXILE OPPOSITION GROUPS LOACTED IN THE US AND OTHER NEIGHBORING COUNTRIES TO MOUNT PLAUSIBLE INVASION OR TERRORISM THREATS. THESE THREATS WERE A SERIOUS FEATURE OF THE PAPA DOC ERA, AND STYMIED ALL LIBERALIZATION EFFORTS. JEAN-CLAUDE DUVALIER, IN SHARP CONTRAST, REFUSED TO BE PROVOKED INTO REPRESSIVE MEASURES IN 1974, WHEN EXPLOSIONS TWICE OCCURRED AT THE CAPITALS AIRPORT. A HAITIAN NAVY BOAT WAS BOMBED IN A MIAMI DRYDOCK, AND AN AMERICAN CITIZEN LINKED WITH HAITIAN EXILES ACCIDENTALLY BLEW HIMSELF UP IN A PORT AU PRINCE

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HOTEL WITH THE DYNAMITE HE SMUGGLED INTO HAITI. HAD DUVALIER PERE BEEN FACED WITH SIMILAR ASSAULTS, HE WOULD HAVE MADE PUBLIC OBJECT LESSONS.

C. CURRENT REFUGEE PROBLEM - OF THE MORE THAN 1,400 HAITIANS UNDERGOING INS PROCESSING FOR DEPORTATION AS ILLEGAL ALIENS IN THE MIAMI AREA, THE VAST MAJORITY ENTERED THE US SINCE 1972. MOST ARRIVED IN SMALL BOATS DIRECTLY FROM HAITI OR THE BAHAMAS, WHOSE GOVERNMENT IS DEPORTING HAITIAN IN LARGE NUMBERS. ALMOST ALL OF THEM ARE REPORTED TO BE LANDLESS AND ILLITERATE PEASANTS SEEKING EMPLOYMENT AND OTHER OPPORTUNITIES UNAVAILABLE IN THEIR POOR HOMELAND. SINCE THE CONDITIONS THAT PRODUCED VERIFIABLE POLITICAL PROSECUTION HAD ENDED BY 1972, IT IS HARD TO GIVE

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FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC PRIORITY 1023

C O N F I D E N T I A L SECTION 3 OF 3 PORT AU PRINCE 2857

CREDENCE TO THE CLAIMS ON WHICH MANY RECENT ARRIVALS HAVE
BASED THEIR APPLICATIONS FOR POLITICAL ASYLUM.

D. SECURITY CONCERN - ONE KEY GOH SECURITY CONCERN IS THE
POSSIBLE INFILTRATION OF COMMUNIST-TRAINED INTELLIGENCE OR
TERRORIST AGENTS POSING AS RETURNING ECONOMIC REFUGEES. FOR
THIS REASON GOH OFFICIALS MAKE CAREFUL IDENTITY CHECKS. THEY
ALSO CHECK FOR KNOWN FOLLOWERS OF ACTIVE ANTI-GOH OPPOSITION-
ISTS OPERATING IN EXILE AND WHO RESORT TO VIOLENT TACTICS.
OTHERWISE GOH SECURITY OFFICIALS APPEAR INDIFFERENT TO DEPORTEES'
REQUESTS FOR ASYLUM IN THE US, RECOGNIZING IT AS A MERE LEGAL
MANEUVER TO TRY TO OBTAIN ENTRY INTO THE US.

E. REPRISAL CLAIMS UNFOUNDED - DESPITE PERIODIC CLAIMS TO THE
CONTRARY, WE ARE UNAWARE OF ANY PROVEN CASES OF REPRISALS TAKEN
AGAINST WOULD-BE ASYLEES WHO RETURNED VOLUNTARILY OR INVOLUNTARILY
TO HAITI SINCE APRIL 1971. THIS IS TRUE FOR DEPORTEES FROM BOTH
CANADA AND THE US. THE MOST RECENT CASES INVOLVING THE US WERE
THE RETURN ON AUGUST 11 OF 36 HAITIANS WHO HAD BEEN RESCUED ON
THE HIGH SEAS AND DEPOSITED IN THE PANAMA CANAL ZONE, AND OF 25
HAITIANS RESCUED BY THE USS NIPMUC IN FEBRUARY 1974 AND RETURNED
TO HAITI SEVERAL DAYS LATER. IN BOTH INSTANCES ALL THE REFUGEES
WERE ACCEPTED BACK WITHOUT REPRISALS EITHER FOR DEPARTING ILLEGALLY
OR FOR SEEKING POLITICAL ASYLUM. IN EACH INSTANCE, SUBSEQUENTLY
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DOUBLE-CHECKED BY THIS EMBASSY, THE RETURNEES WERE FREED AFTER A
BRIEF INTERVIEW AND VERIFICATION OF IDENTITY. MOREOVER, THE GOH
PUBLICIZED THE AUGUST 1975 PANAMA GROUP AND A COINCIDENT CASE
INVOLVING HAITIANS RESCUED BY THE JAMAICAN COAST GUARD, TREATING
THE RETURNEES AS VICTIMS OF UNSCRUPULOUS ILLEGAL TRIP
ORGANIZERS WHO TAKE ALL THE VOYAGERS' MONEY AND PUT THEM
OUT TO SEA IN UNSAFE BOATS. THROUGH LOCAL MEDIA COVERAGE
AND PRIVATE CONVERSATIONS GOH OFFICIALS HAVE MADE IT CLEAR
THEY UNDERSTAND USG CONCERNS FOR THE WELFARE AND PROMPT
RELEASE OF RETURNINGS DEPORTEES, AND HAVE STATED THEIR WILLING-
NESS TO COOPERATE. ONE OFFICIAL EVEN COMMENTED THAT IF THE
USG DOES NOT SOON BEGIN SIGNIFICANT DEPORTATIONS OF HAITIAN
ILLEGALS, THE FLORIDA COASTS WILL BECOME LITTERED WITH HAITIAN
BOATS TRANSPORTING HAITIANS SEEKING TO ENTER THE US ILLEGALLY.
IN AN APPARENTLY RELATED MOVE, THE GOH RECENTLY ENDED ITS
OBJECTIONS TO THE LARGE SCALE RETURN OF HAITIAN ILLEGALS FROM
THE BAHAMAS BY AIR AT BAHAMIAN GOVERNMENT EXPENSE.
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